IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

TUESDAY, THE 30TH OCTOBER 2007 / 8TH KARTHIKA 1929

WP(C).No. 28184 of 2007(E)

PETITIONER:

PRATHIBHAKUMARI C., AGED 29,
W/O. VINODKUMAR K.T., NITHYANANDA QUARTERS,
ALAMIPALLY, KANHANGAD-671 315, KASARGOD.

BY ADVS. SRI.K.S.MADHUSOODANAN
SRI.T.V.JAYAKUMAR NAMBOODIRI

RESPONDENTS:
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1. STATE OF KERALA TO BE REP.BY SECRETARY,
PERSONNEL & ADMINISTRATIVE REFORMS (RULES)
DEPARTMENT, THIRUVANANTHAPURAM.

2. KERALA PUBLIC SERVICE COMMISSION,
PATTOM, THIRUVANANTHAPURAM,
REPRESENTED BY SECRETARY.

3. THE DISTRICT OFFICER,
KERALA PUBLIC SERVICE COMMISSION,
KASARGOD.

R1 BY GOVERNMENT PLEADER SRI.BEJOY CHANDRAN
R2 & R3 BY ADV. SRI.ALEXANDER THOMAS,SC,KPSC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 30/10/2007, ALONG WITH WPC NO.28724 OF 2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

V.GIRI, J.

W.P.(C).No.28184 & 28724 of 2007

Dated this the 30th day of October, 2007.

JUDGMENT

Common question arises for consideration in these two writ petitions. Therefore, they are being disposed of by this common judgment. W.P.(C)No.28184/07 is taken as the leading case.

2. The petitioners applied for the post of L.D.Typist pursuant to Ext.P3 notification issued by the Public Service Commission. One of the qualifications prescribed in the notification was Typewriting (L) K.G.T.E. and computer word processing. The Commission had also power to prescribe equivalent qualification as mentioned in the notification. The petitioners had not passed computer word processing. But the petitioners had apparently completed a course in DTP and Fox conducted by the Women's Development Corporation of the Kerala at the Computer Training Centre at Kasaragod. Ext.P2 is the syllabus in relation

to the said course. Learned counsel for the petitioners also refers to Ext.P7 communication issued by the Public Service Commission on 30.7.2007 wherein the Governmental agencies or institutions whose courses could be considered as sufficient for the purpose of qualification of computer word processing have been listed in para I therein. In para 6 of the said communication Ext.P7, it states that if any other certificates issued by any governmental agency or a government department is produced before the Commission by persons included in the short list, then the acceptability of the same will be decided by the Public Service Commission specifically.

3. In the circumstances, the certificate in question Ext.P1 is not by a governmental agency, which is listed in Ext.P7. Nevertheless, it is issued by a Government of Kerala undertaking.

4. In such circumstances, the Commission may take a decision in terms of para 6 of Ext.P7 as to whether the petitioners' qualification is sufficient in terms of equivalent qualification. A decision may be taken in this regard within a period of one month, with notice to the petitioners. If the Commission is of the opinion that it cannot be treated as sufficient qualification, reasons may be stated and communicated to the petitioners untrammeled by Ext.P5.

Writ petitions are disposed of as above.

Sd/-

(V.GIRI)

JUDGE

sk/

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P.S. To Judge